

JC07 Rec'd PCT/PTO 30 NOV 2001

FORM PTO-1390 (Modified)
(REV 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

100728-354/ Beiersdorf 750-KGB

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

09/980388

INTERNATIONAL APPLICATION NO.
PCT/EP00/04938

INTERNATIONAL FILING DATE
30 May 2000 (30.05.00)

PRIORITY DATE CLAIMED
06 June 1999 (06.06.99)

TITLE OF INVENTION

Use of ascorbic acid and one more flavone derivatives and/or flavanone derivatives, in particular flavonoids for the preparation of cosmetic or dermatological preparations for the prophylaxis or alleviation of sunburn

APPLICANT(S) FOR DO/EO/US

Inge KRUSE, Frank RIPPKE, and Uwe SCHONROCK

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☒ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 20 below concern document(s) or information included:

13. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
20. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
22. ☒ Certificate of Mailing by Express Mail
23. ☒ Other items or information:

Copy of WO 00/74641 A1

U.S. APPLICATION NO. (IF KNOWN, SEE 2)	INTERNATIONAL APPLICATION NO.	ATTORNEY'S DOCKET NUMBER
09/980388	PCT/EP00/04938	100718- 354/ Beiersd rf 7

24. The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :

- ☐ Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1040.00
- ☒ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$890.00
- ☐ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$740.00
- ☐ International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$710.00
- ☐ International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00

ENTER APPROPRIATE BASIC FEE AMOUNT =**\$890.00**

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).

\$0.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	10 - 20 =	0	x \$18.00
Independent claims	1 - 3 =	0	x \$84.00

\$0.00**\$0.00**Multiple Dependent Claims (check if applicable). ☐**\$0.00****TOTAL OF ABOVE CALCULATIONS =****\$890.00**

☒ Applicant claims small entity status. See 37 CFR 1.27). The fees indicated above are reduced by 1/2.

\$0.00**SUBTOTAL =****\$890.00**

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).

\$0.00**TOTAL NATIONAL FEE =****\$890.00**

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). ☐

\$0.00**TOTAL FEES ENCLOSED =****\$890.00**

Amount to be: refunded	\$
charged	\$

- a. ☐ A check in the amount of _____ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 14-1263 in the amount of \$890.00 to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-1263. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Norris McLaughlin & Marcus
220 East 42nd Street
30th Floor
New York, New York 10017
Tel.: (212) 808-0700
Fax: (212) 808-0844

SIGNATURE

Kurt G. Briscoe

NAME

33,141

REGISTRATION NUMBER

11-30-2001

DATE

BEIERSDORF 750-KGB
6713-Wihd-99-61

APPLICANT: INGE KRUSE ET AL

TITLE: USE OF ASCORBIC ACID AND ONE MORE FLAVONE DERIVATIVES AND/OR
FLAVANONE DERIVATIVES, IN PARTICULAR FLAVONOIDS FOR THE
PREPARATION OF COSMETIC OR DERMATOLOGICAL PREPARATIONS FOR
THE PROPHYLAXIS OR ALLEVIATION OF SUNBURN

INTERNATIONAL APPLICATION NO.: PCT/EP00/04938

EXPRESS MAIL CERTIFICATE

"Express Mail" mailing label number EV 015940591 US
Date of Deposit November 30, 2001

I hereby certify that the following items:

1. Transmittal Letter to the United States Designated/Elected Office (DO/EO/US)
Concerning a Filing Under 35 U.S.C. 371 in duplicate - **Charge Deposit Account**
2. Copy of WO 00/74641
3. Copy of the International Search Report
4. Information Disclosure Statement
5. Form PTO 1449
 - a. Copy of Patent Abstracts of Japan 11124341
 - b. Copy of Patent Abstracts of Japan 05279225
 - c. Copy of Patent Abstracts of Japan 07157494
 - d. Copy of Patent Abstracts of Japan 11222412
 - e. Copy of US Patent No. 5,882,658
 - f. Copy of US Patent No. 5,843,411
 - g. Copy of US Patent No. 5,409,693
 - h. Copy of DE 42 43 363 A1
 - i. Copy of DE 42 27 806 A1
 - j. Copy of DE 43 39 486 A1
 - k. Copy of FR 2 666 226 A1
 - l. Copy of WO 98/47534
 - m. Copy of FR 2 723 316 A1
 - n. Copy of WO 96/18379
 - o. Copy of DE 198 07 774 A1
6. Preliminary Amendment
7. Copy of the Specification consisting of Description (pages 1-24); Examples (pages 25-29); 10 Claims (pages 30-31; Abstract (last page).
8. Return Receipt Postcard

are being deposited with the United States Postal Services "Express Mail Post Office
to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the:
United States Patent and Trademark Office, P.O. Box 2327, Box PCT, Arlington, Virginia 22202.

NORRIS, McLAUGHLIN & MARCUS, P.A.

By

